

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA) No. CV-08-095-FVS
)
Petitioner,) ORDER ADOPTING REPORT AND
) RECOMMENDATION, SETTING HEARINGS,
v.) AND DENYING RESPONDENT'S MOTION
) FOR SANCTIONS WITHOUT PREJUDICE
JOHN J. SCHLABACH,)
) *** ACTION REQUIRED ***
Respondent.)
) *** DATES TO CALENDAR ***
)

Magistrate Judge Imbrogno filed a Report and Recommendation on December 10, 2009. There being no objections, the court **ADOPTS** the Report and Recommendation.

IT IS ORDERED:

1. Petitioner (counsel and client) and Respondent (counsel and client) are directed to appear before Magistrate Judge Imbrogno on **January 28, 2010, at 10:00 a.m.**, for a two-part hearing, with all documents in possession of the parties described in the Report and Recommendation, numbered and copied. Agent Lopez and counsel are directed to bring relevant notes and documents from the June 24, 2009, meeting with Respondent.

2. No later than **February 4, 2010**, the hearing shall be transcribed in two sections. The portion during which Petitioner and Respondent are present shall be provided to both parties; the second portion, if any, during which Respondent was present outside the

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1 presence of Petitioner, shall be provided only to Respondent and be
2 available to the court.

3 3. On or before **February 18, 2010**, the parties may file
4 additional material, if any, as appropriate followup to the January
5 hearing.

6 4. Petitioner shall appear before the undersigned District
7 Judge for an *in camera* hearing on **March 2, 2010, at 2:00 p.m.**, to
8 respond to any questions and to determine whether Respondent should
9 be held in contempt for failure to comply with the court's June 17,
10 2008, Order.

11 5. Respondent's Motion for Sanctions (**Ct. Rec. 67**) is **DENIED**
12 **without prejudice.**

13 The District Court Executive is directed to file this Order and
14 provide a copy to counsel for Petitioner. **A COPY OF THIS ORDER SHALL**
15 **BE SENT TO RESPONDENT, CERTIFIED MAIL RETURN RECEIPT REQUESTED, AT**
16 **THE FOLLOWING ADDRESSES:**

17 John Schlabach
18 P.O. Box 362
Mead, WA 99021

19 ***and***

20 John Schlabach
21 3310 East Hastings Avenue
Mead, WA 99021

22 **DATED** this 5th day of January, 2010.
23

24 s/ Fred Van Sickle
FRED VAN SICKLE
25 SENIOR UNITED STATES DISTRICT JUDGE
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